

DEC 17 2004

PTO/SB/64 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
PC25080A

First named inventor: NIALL S. DOHERTY, ET AL.

Application No.: 10/715,874

Group Art Unit:

Filed: NOVEMBER 18, 2003

Examiner:

Title: METHOD OF PROMOTING NAIL GROWTH USING THYROMIMETIC COMPOUNDS

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,280.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Petition for Revival under 37 CFR 1.53(f) or (g) (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$_____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/84 (10-00)

Approved for use 10/31/2002. OM2 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

12/16/04
Date

[Signature]
Signature

Telephone
Number: (734) 622-1705

J. Michael Dixon Reg. No. 32,410

Typed or printed name

Warner-Lambert Company LLC
2800 Plymouth Road

Address

Ann Arbor, MI 48105

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Copy of Notice of Abandonment Under 37 CFR 1.53(f) or (g), Executed Declaration and a copy of Notice to File Missing Parts

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

12/17/04
Date

[Signature]
Signature

Diane L. Hetzler

Type or printed name of person signing certificate

DEC 17 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/715,874 Confirmation No.: 5276
Applicant: Niall S. Doherty
Filed: November 18, 2003
TC/A.U.:
Examiner: Not Yet Assigned
Docket No.: PC25080A
Customer No.: 28880

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.53(f) or (g)**

Dear Sir:

This paper is in response to the Notice of Abandonment Under 37 CFR 1.53(f) or (g) dated November 30, 2004.

In the Notice of Abandonment, the Office asserted that the Applicants failed to reply to a Notice to File Missing Parts of a Nonprovisional Application. Applicants did fail to timely and properly reply to the Notice to File Missing Parts dated February 18, 2004, because the notice to file missing parts was never docketed therefore the attorney of record was unaware of this due date.

In accordance with the requirements of 37 C.F.R. § 1.137(b), Applicants submit that the entire delay in providing the reply from the due date for the reply until the filing of a grantable petition was unintentional. Applicants enclose herewith the required Response to the Notice to File Missing Parts.

USSN 10/715,874

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Docket No. PC25080A

Authorization is given to charge the fee, as well as any additional fees that may be due, to Deposit Account 23-0455.

Accordingly, Applicants respectfully request revival of the subject application.

Dated:

12/16/04

Respectfully submitted,



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